

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

MICHAEL A. LEWIS  
Petitioner,  
  
v.  
  
RICKY BELL, WARDEN  
Respondent.

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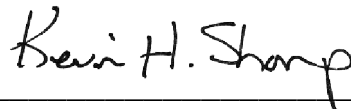
No. 3:10-0651  
Judge Sharp

O R D E R

In accordance with the Memorandum contemporaneously entered, the Court finds merit in respondent's Motion to Dismiss (Docket Entry No.35). Accordingly, respondent's motion is GRANTED and this action is hereby DISMISSED. Rule 8(a), Rules -- § 2254 Cases.

Should the petitioner file a timely notice of appeal from this order, such notice shall be treated as an application for a certificate of appealability, 28 U.S.C. § 2253(c), which will NOT issue because the petitioner has been unable to make a substantial showing of the denial of a constitutional right.

It is so ORDERED.



Kevin H. Sharp  
United States District Judge